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Substitute Disclosure Form (PTO-1449)

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PTO/SB/8A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Application Number 09/996,978 Filing Date October 31, 2001 Mark D. Markel First Named Inventor **Group Art Unit** 3731

to be assigned

(use as many sheets as necessary)

A-70829/ENB Sheet 1 of Attorney Docket Number **U.S. PATENT DOCUMENTS** Pages, Column Lines, Where Relevant Cite U.S. Patent Document Date of Publication of Name of Patentee or Applicant Examiner Where Relevant Cited Document of Cited Document Initials* MM-DD-YYYY Number Code² Figures Appear (if known) 08/08/1875 KIDDER 1. R. A١ 164,184 STARR 06/10/1894 BI 300,155 10/18/1887 CI 371,664 BRANNAN et al. DI 452,220 **GUNNING** 05/12/1891 **CARPENTER** 09/02/1919 El 1,314,855 WAPPLER 01/25/1921 FI 1,366,756 JOHNSON et al. 10/15/1929 GI 1,731,627 GROFF 12/12/1929 н 1.735.271 ENDE 07/14/1931 II 1,814,791 WAPPLER 05/09/1933 J1 1,908,583 07/04/1933 ΚI 1,916,722 **ENDE** 10/24/1933 1,932,258 WAPPLER L McFADDEN 01/16/1934 МI 1,943,543 KIMBLE 11/11/1934 NI 1,983,669 05/28/1935 WAPPLER et al. 01 2,002,594 WAPPLER et al. 06/11/1935 Р1 2,004,559 08/11/1936 TRICE A.R. Q1 2,050,904 R١ FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, Foreign Patent Document Date of Publication of Cite Examiner Name of Patentee or Applicant Where Relevant Cited Document Initials* Kind Code² of Cited Document Passages or Relevant MM-DD-YYYY Tو Office3 Number⁴ (if known) Figures Appear 2,160,102 RICHARD WOLF GmbH 12/18/1985 \$1 GB TI UΙ νī WI

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SEP 0 9 2003 Sheet <u>1</u> of <u>12</u> Substitute Form PTO-1449 U.S. Wardified) Application No. Sartment of Commerce Attorney's Docket No. it and Trademark Office 09/996,978 14170-061001 Applicant Information Disclosure Statement Mark D. Markel by Applicant (Use several sheets if necessary) **Group Art Unit** Filing Date 3739 October 31, 2001 (37 CFR §1.98(b))

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Information Disclosure Statement

by Applicant (Use several sheets if necessary)

Substitute Form PTO-1449 U.S. Detarment of Commerce (Modified)

U.S. Detarment of Commerce Patent and Trademark Office

Attorney's Docket No. 14170-061001

Application No. 09/996,978

Applicant

Mark D. Markel

Filing Date

Group Art Unit 3739

(37 CFR §1.98(b))

October 31, 2001

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Substitute Form PTO-1449 U.S. Department of Commerce (Modified) Paternant Trademark Office

Information Disclosure Statement Attorney's Docket No. Application No. 14170-061001 09/996,978 Applicant Mark D. Markel by Applicant (Use several sheets if necessary) Filing Date Group Art Unit 3739 October 31, 2001 (37 CFR §1.98(b))

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Substitute Form PTO-144 (Modified)

partment of Commerce U.S. Apparent of TRADEMINE HEAT and Trademark Office

Attorney's Docket No. Application No. 09/996,978 14170-061001

Applicant

Mark D. Markel

Filing Date

Group Art Unit 3739

(37 CFR §1.98(b))

October 31, 2001

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A	1. R. S4	wo	WO 85/02762	A1	Kh Hii Obschei Noetlozh Khirug	07/1985	abstract ,		
	1	T4	wo	WO 92/10142	Aì	Pfizer Hospital Products Group	06/1992		
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ³ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴ Applicant is to place a check mark here if English Language Translation is attached.

SEP 0 9 2003

U.S. Separtment of Commerce

Attomey's Docket No. 14170-061001

Application No. 09/996,978

Substitute Form PTO-129

(Modified)

U.S. Separtment of RADENAME

Information Disclosure Statement

by Applicant

(Use several sheets if necessary)

Mark D. Markel

Filing Date October 31, 2001

Applicant

Group Art Unit 3739

(37 CFR §1.98(b))

				U.S. PATENT DOCI	IMENTS	
Examiner	Cite No.1	U.S. Patent I	Document	Name of Patentee or Applicant	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant
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- -	N5	4,966,597		COSMAN	10/1990	·
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	Examiner Initials*	Cite No.1		Forei	gn Patent Docum	nent Kind Code ¹	Name of Patentee or Applicant	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant	T
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A	K.	85	wo	WO 95/18575	Al	Vadamed, Inc.	07/1995	•		
	,	T5	wo	WO 95/20360	Al	Valley lab Inc.	08/1995		T	
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A.	.TZ.	Y5	wo	WO 96/11638	Al	Femrx	04/1996			
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^{*}Unique citation designation number. *See attached Kinds of U.S. Patent Documents. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. *Applicant is to place a check mark here if English Language Translation is attached.

Substitute Form PTO-1448 (Modified)

U.S. Department of Commerce Pater and Trademark Office Attorney's Docket No. 14170-061001

Application No. 09/996,978

Information Discharge Statement

by Applicant

(Use several sheets if necessary)

Applicant Mark D. Markel

October 31, 2001

Filing Date

Group Art Unit 3739

(37 CFR §1.98(b))

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					U.S. PATENT DOC	JMENTS	
Exam		Cite No.1	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant
Initials*			Number	Kind Code ¹ (if known)	of Cited Document	MM-DD-YYYY	Passages or Relevant Figures Appear
A	\mathcal{Z}	A6	4,924,865		BAYS et al.	05/1990	
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Aik	? s	86	wo	WO 96/32051	Al	Arthrocare Corp.	10/1996		
	1	1 6	wo	WO 96/34568	Al	Knowiton, E.	11/1996		Т
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document ³ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴ Applicant is to place a check mark here if English Language Translation is attached.

Substitute Form PTO-1449 (Modified)

U.S. Department of Commerce Patent and Rademark Office

Information Disclosure Statement by Applicant (Use several sheets if necessary)

(37 CFI	R §1.98(b))	

Attorney's Docket No. 14170-061001	Application No. 09/996,978
Applicant Mark D. Markel	
Filing Date October 31, 2001	Group Art Unit 3739

			U.S. PATENT DOC	JMENTS	
Examiner Initials*	Cite No.1	U.S. Patent Document Number Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages; Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Unique citation designation number. ¹ See attached Kinds of U.S. Patent Documents. ¹ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ³ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴ Applicant is to place a check mark here if English Language Translation is attached.

Sheet <u>8</u> of <u>12</u>

Substitute Form PTO-1449 (Modified)

U.S. Departmen of Commerce Patent and Endemark Office

Attorney's Docket No. 14170-061001 Applicant

Application No. 09/996,978

Information Disclosure Statement by Applicant

Mark D. Markel

(Use several sheets if necessary)

Filing Date

Group Art Unit 3739

(37 CFR §1.98(b))

October 31, 2001

U.S. PATENT DOCUMENTS U.S. Patent Document Cite Pages, Columns, Lines, Date of Publication of Examiner Name of Patentee or Applicant Cited Document Where Relevant Initials* Kind Code³ of Cited Document Number MM-DD-YYYY Passages or Relevant (if known) Figures Appear 3,938,198 KAHN et al. A8 02/1976 3,886,600 KAHN et al. 06/1975 3,879,767 SUBSTAD 04/1975 SUBSTAD et al. D8 3,867,728 02/1975 E8 3,856,015 **IGLESIAS** 12/1974 F8 3,821,510 MUNCHERYAN 06/28/1974 G8 3,776,230 NEEFE 12/1973 H8 3,579,643 MORGAN 05/1971 3,178,728 18 CHRISTENSEN 04/1965 2,090,923 WAPPLER 08/1937 18 K8 1.2 MR N8 08 TECHNOLOGY CENTER R3700 P8 08 R8 S8 T8 U8 V8 W8

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Substitute Form PTO-1449 (Modified)

U.S. Department of Commerce

Attorney's Docket No. 14170-061001	Application No. 09/996,978
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Information Disclosure Statement by Applicant
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Applicant Mark D. Markel	
Filing Date October 31, 2001	Group Art Unit 3739

(37 CFR §1.98(b))

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(Other Documents (include Author, Title, Date, and Place of Publication)					
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EXAMINER: Initials citation considered. Draw line through citation if no next communication to applicant.	
	Substitute Disclosure Form (PTO-1449)

Sheet <u>10</u> of <u>12</u>

Substitute Form PTO-1449 U.S. L Application No. Attorney's Docket No. rtment of Commerce and Trademark Office 09/996,978 14170-061001 **Applicant Information Disclosure Statement** Mark D. Markel by Applicant (Use several sheets if necessary) Group Art Unit Filing Date 3739 October 31, 2001 (37 CFR §1.98(b))

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	$\overline{}$			
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т			
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¹ Unique citation designation number. 2 Applicant is to place a check mark here if English Language Translation is attached.

	SP 1 9 2003 ♣		Sheet <u>11</u> of <u>12</u>		
Substitute Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 14170-061001	Application No. 09/996,978		
	Dischard Statement Applicant	Applicant Mark D. Markel			
(Use sever	al sheets if necessary)	Filing Date October 31, 2001	Group Art Unit 3739		

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	ļ
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Examiner Signature	agyon Growne	Date Considered	1/71/2004

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¹ Unique citation designation number. 2 Applicant is to place a check mark here if English Language Translation is attached.

Substitute Form PTO-144 TRADEMEN

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Attorney's Docket No. 14170-061001

Application No. 09/996,978

Applicant Information Disclosure Statement

by Applicant

Mark D. Markel

Group Art Unit Filing Date October 31, 2001 3739

(37 CFR §1.98(b))

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials No. litem (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T⁴
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